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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pedlow, Jr. et al.

Group Art Unit: 2135

Serial No.: 10/802,084

Examiner: To, Bao Tran N.

Filed: 3/16/2004

Title: Hybrid Storage of Video on
Demand Content

Attorney Docket No.: SNY-T5711.02

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The undersigned submits herewith patents, publications or other information (enclosed herewith and/or listed on the enclosed list of references form) of which he is aware, which he believes is relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and any appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement is submitted:

☐ Under 37 CFR §1.97(b).

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ Under 37 CFR §1.97(c).

☐ Below is a statement under 37 CFR §1.97(e), or

☒ An IDS submission fee under 37 CFR §1.17(p).

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first. Either a statement under 37 CFR 1.97(e) or an IDS submission fee is required.)

☐ Under 37 CFR §1.97(d).

☐ Below is a statement under 37 CFR §1.97(e), and

☐ Applicant(s) hereby petitions under 37 CFR §1.97(d)(2) for consideration of this Information Disclosure Statement, and

☐ A petition fee set forth in 37 CFR §1.17(i) is paid as indicated below.

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

The undersigned hereby certifies under 37 CFR §1.97(e) that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement:
 - were cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, were known to an individual designated in 37 CFR §1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

A concise explanation of relevance of the items listed on the attached form:

- ☒ Additional information is provided in an appendix to this communication.
- ☐ Appears in the body of the application.
- ☐ Is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- ☐ Is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or "material" to this invention or any application for patent for this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other information that may be material as defined in 37 CFR §1.56 exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.97 and §1.98 and MPEP §609. The Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.



- [] No fee is believed to be required for this IDS.
- [] A check for the above fees is enclosed.
- [X] Please charge the IDS fee of \$ 180 under 37 CFR §1.17(p) to my credit card. See the enclosed credit card charge authorization form.
- [X] The commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to my Deposit Account No. 50-1267.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JERRY A. MILLER Reg. No. 30,779

Respectfully submitted,

Jerry A. Miller
Registration No. 30,779

Dated: 2/7/07

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Raleigh, NC 27606
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Fax: (919)-816-9982



APPENDIX

These references are cited in one or more applications related to this patent application in either US or Foreign Office Actions or Search Reports. In some instances, art cited in this and other IDS may not constitute prior art to the present application. Below is a list of references received in accordance to the corresponding file Application number.

Document Number	Issue/Pub. Date	Name	Filing Date	Disclosure from
6,917,684	7/12/2005	Tatebayashi et al.	8/15/2000	10/319,169
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/802,084
Filing Date	3/16/2004
First Named Inventor	Pedlow, Jr. et al.
Art Unit	2135
Examiner Name	To, Baotran N.
Attorney Docket Number	SNY-T5711.02

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US 5,963,909	10/05/1999	Warren et al.	
		US 6,016,348	01/18/2000	Blatter et al.	
		US 2001/0036271	11/01/2001	Javed	
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		US 2005/026547	12/01/2005	Strasser et al.	
		US 7,065,213	06/20/2006	Pinder	
		US 2006/0136976	06/22/2006	Coupe et al.	
		US 7,127,619	10/24/2006	Unger et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of US PTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.